G. R. S. 58
Previous references.

File No. 16990

1906.

Serial Nos. 102

(S. R.)

Later references.
Bg. Secys Sec. 1 & S.R. 252-12

(16)

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 102

Part B. for September 07.

SUBJECT.

Claim to the toddy revenue of the Go ~~Kempapura~~ Village Nagadi &c.
Kotagarahalli

---

1) From the Excise Commr. No. 4724 dt. 9.6.07 (D. 5592).
Submits the record of enquiry relating to the claim & states that the godidars are entitled to the toddy excise Revenue from the toddy shop which has transferred to Eggipura some 4 or 5 years ago. belongs to this village & that the case therefore falls under rule 2,

2) To the Excise Commr No 71/332-3 dt.
Recognises the claim of the Excise

GPB—8,000—7-1-08

G.R.S. 11] 1906

GENERAL AND REVENUE SECRETARIAT.

(P)

NOTES.

File No. 169-06

FILE HEADING.

Claim to the toddy revenue of the Jodi Kolagaranahalli village, Magadi Taluk

From

The Revenue Commr

No. 4721 Dated 19/6/07 Received 27/6/07

Diary No. 5592 Enclos. 1 file Spare Copies. Serial No. 1

BRIEF ABSTRACT OF LETTER.

Submits the record of enquiry relative to the claim of Siddalingaiah the Jodi thereof to the toddy cess revenue. That the toddy shop which was transferred to Gajjigenkuppe some 4 or 5 years ago belongs to this village & that the case therefore falls under para 2 of G.O. 2412.

NOTES AND ORDERS.

The Collector of Revenue, (Mahanadi) by letter dated 18/6/07 from the Highness the Maharaja of Mysore to the Deputy Commissioner of the Magadi Taluk directs the Deputy Commissioner

NOTES—First sheet.

GPB—30,000—20-3-06.

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not to make any demand on account of the Todys either from the Poidars or the Contractor and to continue it to be enjoyed by Sreeniwasrao Patkar & others on receipt of the Jodi of 34-4-4 (Rup as hereto fore.

At the time of the demarcation Settlement Conducted in Feb. & March 87 the Revenue Asst recommended the Concession of the Todys previous to the Poidars on the Cultivation of the above named & the enjoyment of it's previous by the Poidars and the Revenue Supdt Col. Robert Cole directed that Todys is included under para 4 of Precis no 6 and proposed that as applied to "Attach" & quite distinct from "Todys".

Para 4 of Precis no 6 refers to only ~~Injected~~ prohibited the vending of the liquor (Todys) without a license from

GPB—50,000—25-2-07

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General and Revenue Secretariat.

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Govt. These facts evidently necessitated the Jodidars right to the toddy excise privileges.

In regard to 12 years enjoyment prior to 1892-93 which is also one of the conditions referred to in clause (a) to be allowed. The Jodidars have (vide paras 10 of G.O. No 638-47-Rev. dt. 16/7/92 & 28/5/03) the Jodidars have produced only 2 documents executed by the Contractors one for a period of 3 months from January to March 1887 and another from April 1891 to March 1892 and another Sanad dated 9/11/1885 issued by the Jodidars advertising the sale of "Sendi Sab" from 85 to 87. The 12 years enjoyment has therefore to be presumed.

There is a grove in the village & the existence of a toddy shop in it is not disputed.

The Muchalikas executed by old toddy Contractors in favor of the Jodidars for

Note—Contn. sheet

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G. R. S. 12]
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1861. 62. 63. 79-80, 281-2 clearly show the existence of a toddy shop in the village during the year. On 20/4/1899 the Poligar claimed Malabar tax in respect of the toddy shop for 1897-98 and 1898-99.

On 26/8/98 Mr. B. K. Venkata Narasiah given by some record that there is no toddy shop in the village and directed the payment to the Poligar of the grove farm rent recovered from 1893-94 to 1896-97.

On 14/4/03 the Poligar has admitted in a statement made before the Asst. Comr. Gur Ahmed Ali that the non existence of a toddy shop within his village limits.

[If the toddy shop really existed within his village limits he would not have made the above admission more especially when he knew the disadvantages of such admission under the

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Agree to my views.]

The investigation of the pool of the existence of a boundary mark in the village of Dabtaneen to the limits of Gajigarkelpe has been entrusted to a minor officer of the States of the Acting Assistant Resident, [illegible] and the whole recommendation is hinged upon his report. This is an important matter requiring the personal attention of higher officers as will be evident from orders contained in G.O. No 2074-83-Mt. 166-92 dt 2/8/01 directing that these claims should be investigated by the Darbars themselves or by Assistant Commissioners under their directions.

The Darbars have also not claimed the dues from 1892-93 on previous occasions when they preferred their claims.

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Secretariat.

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In favour of the letter under disposal the Cess Corn Statement in the Cess registers and Accounts the Shop Goods in the name of Gajjiswarkeshpe Arasu Shop and this is a mistake.

This may be a mistake, but it is not clear why the petitioner did not ~~get it rectified~~ ever attempt to get it rectified & why he did not even claim its revenue when he preferred his claim before Mr B. K. Venkatavaradarajan in 1898. It is not unlikely that the Shop was removed by the Contractors themselves in 1901 or 1902 as in the case of several other villages.

The only point in favour of the petitioners is that they have collected Malatanga tax on the Shop. But none of the Officers has ascertained the truth of it by reference to the accounts maintained by the petitioners & seeing how far these

NOTE—Contn. sheet

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accounts are reliable.
Called for orders
Rye
19.7.07.
MR

The Asst's recommendation based on the Taluk's of 29.7.1811 and the Inamdar's actual enjoyment of the revenue and Col Cole's order on it leave no room for doubt that the Inamdars are entitled to the toddy revenue of their Village and a draft allowing the claim may be put up. There is only a grove and no shop in the Village now and the case shd under the Tree-Tax System, be brought, at any rate for the present, under rule 13 of G.O. of 2.8.01. The Inamdars have admitted that there is no shop in their Village and have not asked for permission to open one there and there is therefore no necessity to bring the case under rule 12 as pointed by the Excise Comm^r. For the period during which there was no shop in their Village they are not entitled to any shop rental & Claim is necessarily regulated by rule 13. The question of

NOTE—Contn. sheet

GPB—50,000—25-2-07

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	altering the present location of the Shop near the Main Village Gajjigaranuppe is a Separate matter requiring independent Enquiry and report.
	Sd/ 5/8/07
	Subd with draft recognising the claim. Sd/ Gen'l Secy 6.8.07
	A&R 8/8/07
	1st D 1574 16.8.07
3756 17.8.1907	Draft altered & approved — Sd/ 17/8/07
	Issue 12/8 17.8.07
2	To The Excise Commr " Comptroller No. 7E-1332-3 dt 19.9.07. Recognises the claim of the Inamdar —

NOTE—Contn. sheet

No. 4721 OFFICE OF THE EXCISE COMMISSIONER IN MYSORE.

DATED BANGALORE, 19th June 1907.

From

P.N.Purnaiya Esquire, B.A.

Excise Commissioner in Mysore.

To

C.S.Balasundram Iyar Esquire, B.A.

Secretary to the Government of His Highness the Maharaja of Mysore,

General and Revenue Departments.

Sir,

I have the honor to submit herewith the records of enquiry relating to the Inamdar's claim to the Excise revenue from toddy of Jodi Kotagarahalli village in the Magadi Taluk and to state that I concur in the finding of the investigating officer that the Inamdar is entitled to the Excise revenue from toddy of the village.

2. The village was granted on Sarvamanya tenure by Mummadi Kempe Gowda in the year Dundubhi, Salivahana Saka 1578, corresponding to the English year 1656 A.D. The Inam was ratified by Dewan Purnaiya by the imposition of a Jodi of Pagodas 34/- in the year 1802 as per his Takeed and subsequent Nirups. The Inam was again confirmed during the administration of His Highness the late Maharaja Krishnaraja Wadeyar Bahadur.

3. In the year 1810 the then Amildar of Magadi Taluk appears to have demanded of one Venkata the toddy contractor of the village shop 4 Pagodas in addition to the Jodi amount of 34 Pagodas paid by the Jodidars. On this a complaint was made by the Inamdars to His late Highness and a Takeed dated 29th July 1811 was issued by His Highness to the then Amil of Magadi directing him not to make any demand on account of toddy either from the Jodidar of the village or from the contractor

contractor and to continue it to be enjoyed by Sreenivasa Iyengar and five others on receipt of the Jodi of 34 Pagodas as heretofore.

4. At the Inam Settlement of 1877 on the recommendation of the Special Assistant Mr.T.Sreenivasa Iengar the Inam Superintendent Colonel Robert Cole has disposed of the claim to toddy under para 4 of Precis No.6 while he reserved to -- Government the rights to Sayer, Abkari &c., evidently restricting the latter term to Arrack. Referring to Chief Commissioner's order No.3697-Rev.30, dated 8th October 1873 and Government Proceedings No.12917-Rev.363, dated 20th March 1877, it will be seen that the disposal of the toddy claim under para 4 of -- precis No.6 clearly means in this case that the Inamdar should not draw and sell toddy on his own authority but through a -- licensed Government contractor. In the list of villages entitled to toddy revenue furnished by the Inam Superintendent to the Deputy Commissioner Kotaganahalli is mentioned.

5. The earliest recorded evidence of the enjoyment of the toddy Excise revenue of the village by the Inamdar is to be found in the Suvarnadayada patti of Sarvadhari-1828 A,D. wherein 2 Pagodas and odd is shown as collection from one Venkat on account of "Shendi Gutha". Since then the enjoyment has been uninterrupted.

6. From the several Gutha chits and other papers filed by the Inamdar in proof of enjoyment and from the records received with the Deputy Commissioner's docket No.A.72, dated 3rd November 1906, Government will be pleased to observe that the inamdar was in the enjoyment of the Excise revenue from toddy of his village from a very long time more than fifty years before 1892-93. It will also be seen that there was a toddy shop in the village from the very beginning till 4 or 5 years back when according to the Deputy Commissioner's report it appears to have been transferred to the boundary of Inam Gajjigarkuppe

village

village. Probably the motive for this was that the Inamdars of the latter village did not possess any evidence of -- enjoyment of toddy revenue of their village as submitted in my letter no.4677 dated 15th June 1907 and wanted to adduce the existence of a shop as evidence or it may be that they wanted to get Mohatarfa tax. They took advantage of the circumstance that the contractor of the shop happened to be a man of Gajjigarkuppe village.

5212/1907

7. In the Excise Registers and accounts the shop goes by the name of Gajjigarkuppe Inam shop and this is clearly a mistake for Kotagarnahalli Inam shop. On receipt of Government orders on the claim, orders will be issued to cancel the unauthorized shifting of the locality of the shop and to have the shop removed to its mamool place in Kotagarnahalli. The necessary correction in the Excise Registers will also be ordered. The amount awarded by the investigating officer will be verified and a refund bill for the sum payable to the Inamdar will be submitted for the sanction of Government.

8. There is also a date grove in the village and the case, therefore, falls under Rules 2, 5, 9 and 12 of Government order No.2074-83/R.F.166-92, dated 2nd August 1901.

I have the honor to be,

Sir,

Your most obedient servant

Excise Commissioner

in Mysore.

B.R.

5592

G.R.S. 27]

GENERAL AND REVENUE SECRETARIAT.

(Continuation Sheet draft form.)

That the benefit of the doubt should be given to the Dravidar - Under these circumstances it appeared to the Dravidars

recognise ~~the~~ claim of the Dravidas under Rules 2, 5 & 13 of G.O no 2074-83 Dy 166-97 Dy 28.01 ~~As the Dravidar admits that~~ there is no shop in the village ~~and has not asked for~~ permission to open one there. There is no necessity to bring the case ~~under rules 9 & 13 as proposed by~~ the excise com^r doesn't fall under Rules 9 & 12

4 ~~3~~ The question of altering the present location of the shop near the other Dravn village of Gajjigasakuppe is a separate matter requiring independent enquiry and report.

Secretary

10.8.5

To The Excise Com^r returning the records

Comptroller

Govt desire to give the Dravidar the benefit of the doubt

3 ~~4~~ No alteration of Excise Dept^l Registers & accounts as is suggested at para 7 of the Excise Comm^rs letter is necessary or advisable -

May this be printed?

Agreed 12/9/05

Agreed 13/9/05

ASR 8807

MGCPB—30,000—5-4-05.